



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,760	03/25/2004	Arif Kazi	71368	7348
23872 7590 05/14/2008 MCGLEW & TUTTLE, PC P.O. BOX 9227 SCARBOROUGH STATION SCARBOROUGH, NY 10510-9227				
EXAMINER				
OLSEN, LIN B				
ART UNIT		PAPER NUMBER		
3661				
MAIL DATE		DELIVERY MODE		
05/14/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,760

Applicant(s)

KAZI ET AL.

Examiner

LIN B. OLSEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-5, 7-21, 24-31, 33-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 44 and 45 is/are allowed.
- 6) ☐ Claim(s) 5 and 21 is/are rejected.
- 7) ☒ Claim(s) 1, 5, 7-21, 24-31 and 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/25/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because reference number 6.3 used in the specification is not found on the figures. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

Response to Amendment

The amendment to the specification has not been entered because the instruction to amend to the specification was to amend the paragraph cited rather than replace it with a new paragraph as directed at 31 CFR 1.121(b)(1)(i).

Response to Arguments

The objection to claims 21, 27, 30, 32, 37, 38, 41, 43 and 44 has been withdrawn.

The rejection of claims 18 and 37 under 35 USC 112 has been withdrawn.

Claim Objections

Claims **1, 4, 7, 10, 12, 14, 16, 19, 29, 31, 33, 36, and 42** are objected to because of the following informalities:

Claims 1, 4, 7, 10, 12, 14 and 17-19 are objected to because the term "portable operating device" is defined in claim 1 while the remaining claims use "operating device" to refer to the same element.

Claims 21, 29, 31, 33, 36 and 42 are objected to because the term "common operating device" is defined in claim 21 while the remaining claims use "operating device" to refer to the same element.

Claim 16 is objected to because it uses the phrase "first transmitting device" whereas in claim 1 there is only antecedent basis for "first transmitting means".

Claim 19 is objected to because it uses the phrase "selected control unit" whereas there is only support for "associated control unit" in claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims **5 and 21** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 is rejected because in line 3 it refers to "the control unit". Claim 5 depends on claim 1 wherein these are three distinct references to control units:

In line 1, - "a number of control units"

In line 3 – "several control units" and

In lines 7 and 9 – "the associated control unit".

It is unclear which control unit is referred to in claim 5.

Claim 21 is rejected because in line 14, it is unclear whether the applicant intended to convey that "said operating device being further designed to generate non-movement-relevant control signals: or "said operating device being designed to generate ~~non~~-movement relevant control signals".

In addition, the examiner suggests that in line 12, the word "is" should be deleted.

Allowable Subject Matter

Claims 45 and 46 are allowed.

Claims 1, 4, 7, 10, 12, 14, 16-19, 29, 31, 33, 36 and 42 are objected to for formal requirements, but would be allowable if the objections were resolved.

Claims 8-9, 11, 13, 15, 20, 24-28, 30, 34-35, 37-41 and 43-44 are objected to as being dependent upon a objected to or rejected claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims or if the base claims were made allowable.

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

The following is the examiner's statement of reasons for allowance and indication of allowable subject matter:

The prior art of record fail to teach that in a system for controlling a plurality of manipulators comprised of a plurality of control units associated with each of the manipulators, so that each control unit controls at least one of the manipulators and an operating device connectable with at least one specific control unit for operating the manipulators, where the operating device is designed to operate the manipulators in real time by issuing movement-relevant control signals and operating non-real time functions of the manipulators by issuing non-movement -relevant control signals. Each of the control units having a real time area set up for execution of a real time capable operating system and having a non-real time area for execution of non-real time capable operating system, where real time areas of the control units process movement-relevant control signals sent to the real time capable operating system and are directly suitable for the motion control of the respective one of the manipulators. The control units further using the non-real time areas to perform non-real time processing of non-movement relevant control signals.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. As per attached PTO-892.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **LIN B. OLSEN** whose telephone number is (571)272-9754. The examiner can normally be reached on **Mon - Fri, 8:30 -5**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. B. O./
Examiner, Art Unit 3661

/Thomas G. Black/

Supervisory Patent Examiner, Art Unit 3661